

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES

CRIMINAL ACTION

v.

EVENS CLAUDE

NO. 11-90

ORDER

AND NOW, this 18th day of June, 2014, upon consideration of defendant Evens Claude's *pro se* Motion under 28 U.S.C. § 2255 To Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Document No. 58, filed March 18, 2014), Government's Response to Defendant's Petition to Vacate Conviction Under 28 U.S.C. § 2255 (Document No. 60, filed April 7, 2014), for the reasons set forth in the Memorandum dated June 18, 2014, **IT IS ORDERED** that defendant Evens Claude's *pro se* Motion under 28 U.S.C. § 2255 is **DENIED**.

IT IS FUTHER ORDERED that an evidentiary hearing will not be held because "the motion and files and records of the case conclusively show" that defendant is entitled to no relief. 28 U.S.C. § 2255(b).

IT IS FURTHER ORDERED that a certificate of appealability will not issue because reasonable jurists would not debate this Court's decision that defendant's *pro se* Motion does not state a valid claim of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ Jan E. DuBois
DuBOIS, JAN E., J.